

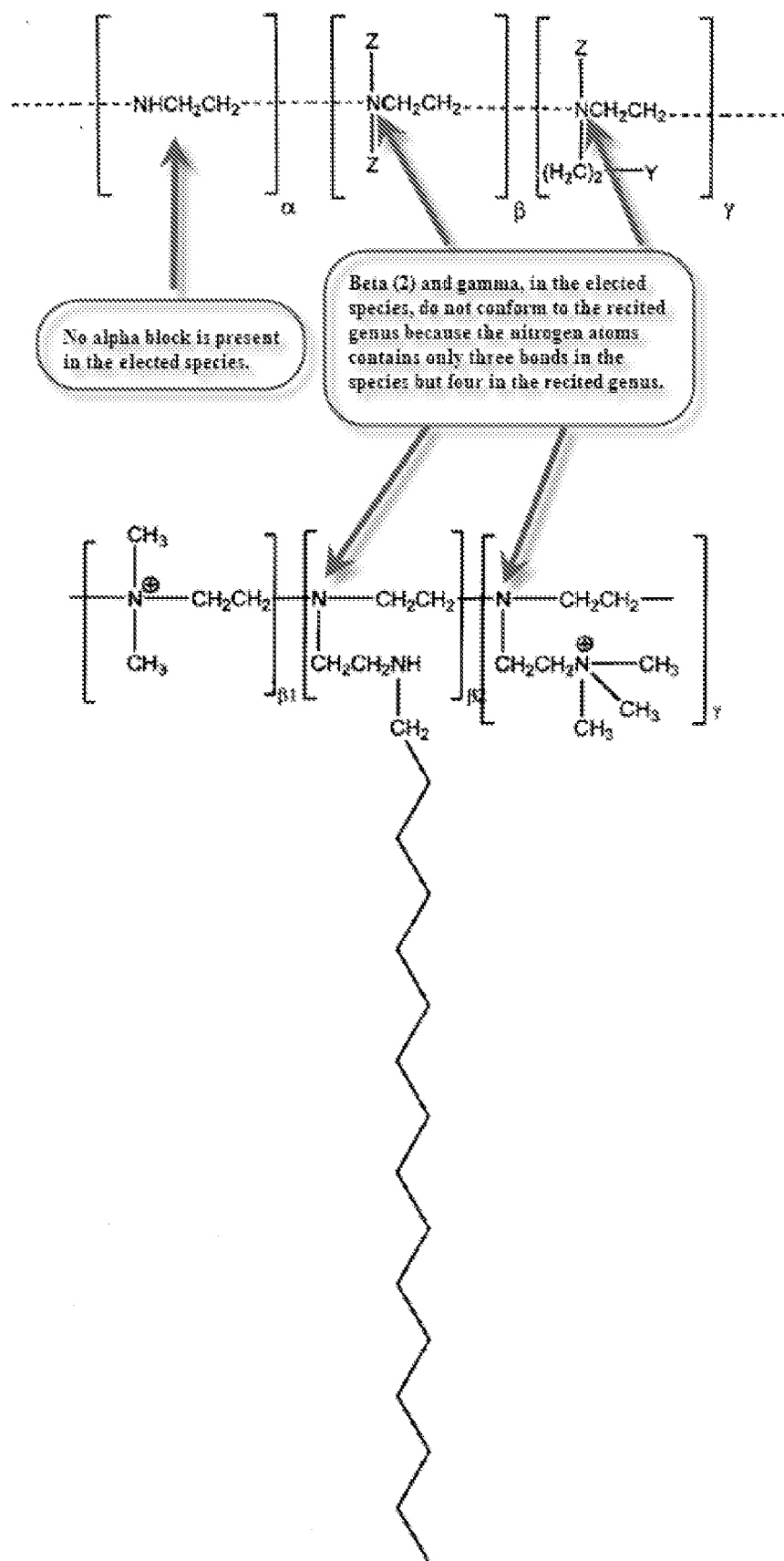
**Notice of Non-Responsive**

The reply filed on 02/27/2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants elected species is not a species of the genus, as recited in claim 1. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Applicant's elected species does not read on the genus recited in claim 1 because there is no alpha ( $\alpha$ ) block present. Claim 1 recites -- $\alpha$  is between 0 to 90%-- [of the block copolymer] and therefore must be present. Additionally the nitrogen atoms of the beta ( $\beta$ ) and gamma ( $\gamma$ ) blocks in the genus are indicated to have four bonds and would therefore be positively charged nitrogen atoms, however the nitrogen atoms of the elected species have only three bonds. The moiety (Z) in the recited genus is not indicated to be optionally present and has therefore been interpreted as required.

The following structure illustration points out the differences between the genus and the elected species:

Art Unit: 1619



Art Unit: 1619

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IVAN GREENE whose telephone number is (571)270-5868. The examiner can normally be reached on Monday through Thursday 7AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on (571) 272-0646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

IVAN GREENE  
Examiner, Art Unit 1619

/Johann R. Richter/  
Supervisory Patent Examiner, Art Unit 1616